IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO.364 OF 2006

Mr.Umesh V. Shenoy & ors. .. .. Petitioners
vs.
The State of Mah. & ors. .. Respondents

Mr.Rajiv Patil for petitioners.
Mr.R.M.Sawant, GP for rerspondents.

CORAM : H.L. GOKHALE &
ABHAY S. OKA, JJ.

DATED : 17th February 2006

P.C. :

1. Heard the learned Counsel for the parties.

2. The Petition is filed making a grievance with respect to the Awards given by the State Government to the sportsmen and the sports organizers what are known as "Shiv Chatrapatti Award". It is submitted that the rules framed therefor are not followed and that there is an interference by the Government. Two examples were given in paragraphs 16 and 17 of the Petition. It is stated that one Ramesh Worlikar secured higher marks and instead of him one Vasant Patil has been selected for the Award of Sports Volunteer. Similarly it is stated that one Sanjay Kadu secured higher marks in another category but one Neeta Talwalkar has been selected.

3. Mr.Sawant, learned Government Pleader appearing for the respondents, has taken us through the relevant rules. He does not dispute and has fairly shown us the marking which has been done, which does show as claimed by Mr.Patil that the marks given to Ramesh Worlikar and Sanjay Kadu are more. However, Rule 5 of the relevant rules provides that the marks are one factor. Thereafter the aspects as to whether the person concerned comes from the backward geographical area, what are the facilities for sports in his area, what is his contribution over the years are to be considered. There is a committee appointed to examine all these aspects and the recommendations of the committee are accepted. In the case of Ramesh Worlikar, it is pointed out that he is a Journalist and that is why his marking was more as he has written a number of articles. In the case of Sanjay Kadu, it is pointed out that he has been the organizer of table tennis in Raigad district, whereas Neeta Talwalkar has been the organizer for swimming at the State and the National levels. Mr.Sawant points out that there are in all seven Awards in the category of sports organizers and there was not a single lady therein. It is after

considering all these factors that Neeta Talwalkar was selected.

4. We have noted the submissions of both the Counsel. We quite see the feelings expressed by Mr.Patil appearing for the petitioners. At the same time, we also see that there is an element of discretion in Rule 5. There are various factors to be considered and it is thereafter that the committee takes a decision. In our view, the committee has considered all the relevant factors and thereafter the decision has been arrived at. We do not think that there are any reasons to interfere with the decision. Petition is dismissed.

(H.L. GOKHALE, J.)

(ABHAY S. OKA, J.)